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SENSITIVE

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SUBJECT: MALDIVES: DRL-FUNDED HUMAN RIGHTS SPEAKER

GRATEFULLY WELCOMED BY CITIZENS

REF: A. STATE 275537

1B. COLOMBO 1420

1C. COLOMBO 1429

1D. COLOMBO 1469

11. (U) Summary: From August 14-19, Dr. Bert B. Lockwood, Professor of Law at the University of Cincinnati and Director of the Urban Morgan Institute for Human Rights, was in Maldives with the assistance of the International Information Programs Bureau and funded by an Economic Support Funds (ESF) grant from the Bureau of Democracy, Rights, and Labor (DRL) (Reftel A). The Maldives Human Rights Commission (MHRC) arranged Lockwood's schedule to include meetings with members of political parties, MHRC Commissioners, civil society groups, and student groups. In all of these venues, Lockwood was lauded for his work and requested to instruct Maldivians as to how they can better safeguard human rights. In response, Lockwood offered guidance on strengthening the MHRC and emphasized the need for an independent judiciary. He promised to make recommendations both to the MHRC and to the US Embassy in Colombo as to how to better assist Maldivians in promoting human rights. End summary.

12. (SBU) Lockwood's visit came in the wake of pro-reform demonstrations in Male' August 12-14 (Reftels B and C) in which police and National Security Service (NSS) forces arrested over 150 people. In light of these events, many expressed concern about the pace of reform and the need to safeguard human rights. On August 15, Lockwood met with members of the opposition Maldivian Democratic Party (MDP). Party members cited a litany of complaints, including accusations that the police and NSS used excessive force during the August 12-14 demonstrations. Other sources later affirmed that NSS forces used abusive language, chased people in an intimidating manner, and swung their batons indiscriminately in the crowd. Lockwood told the MDP members that he would draw up recommendations to strengthen the MHRC.

13. (SBU) On August 16, Lockwood met with members of the government's DRP (the rough translation from the local language is "The Maldivian People's Party"). The DRP speakers said that the legal recognition of parties, an improved tax structure, and a new Cabinet made up of young, reform-minded technocrats were all signs of the Government of the Republic of Maldives' (GORM's) responsiveness to citizens' needs (Reftel D). The DRP members added that while it was unfortunate that the police arrested so many in the August 12-14 demonstrations, reformists need to respect the GORM's commitment to change and refrain from violent demands for faster progress. Lockwood responded that once a reform process is initiated, people have high expectations and it is difficult to slow down.

14. (SBU) Lockwood also met with members of the MHRC. One of the Commissioners had been to the demonstrations and described the NSS use of excessive force. All of the MHRC members expressed worry that their government was not doing enough to respect and protect human rights. The Commissioners said they want to act as an oversight body, but they lack legal and forensic training. Currently there are no lawyers serving on the MHRC, and although there is one medical doctor and one psychologist, none of the Commissioners know how to identify signs of abuse in detention. Nevertheless, Lockwood urged the Commissioners to visit the prisoners detained after the demonstrations, stressing that independent observation is essential in such cases. The Commissioners decided to follow Lockwood's advice and went on prison visits August 18.

15. (SBU) On August 15, the Commissioners also told Lockwood they felt hampered by the proposed legislation granting their mandate. (Note: The bill was later passed by the Majlis (parliament) on August 18. End note.) The Commissioners were wary of the bill because they viewed one clause as prohibiting them from accessing police records and

another as preventing them from investigating cases pending in court.

16. (SBU) In a meeting with Attorney General Hassan Saeed later on August 15, Lockwood raised the MHRC's concerns about the pending bill. Saeed said that the Commissioners were empowered to conduct their own investigations and should therefore not use police records or testimony as evidence. Rather, they should interview witnesses independently. He added that the Commission would retain the right to investigate allegations of abuse, and that these inquiries would take precedence over the resultant cases being heard in court. In other words, Saeed explained, if a detainee alleged abuse, the MHRC could investigate the claims immediately. If the MHRC found that abuse had occurred, the detainee's case would not go to trial because his evidence would have been obtained illegally. Saeed and Lockwood both agreed that the Commissioners could easily address their concerns about the legislation governing the MHRC if they had a lawyer to advise them. Lockwood also emphasized the importance of an independent judiciary in protecting human rights.

17. (SBU) Also on August 15 and 16, Lockwood met separately with Minister of Gender and Family Aishath Mohamed Didi, Minister of Justice Mohamed Jameel Ahmed, and Minister of Education Zaahiya Zareer. All three ministers spoke of challenges they faced in their portfolios, including a lack of trained personnel. They also expressed a desire to implement stronger human rights safeguards. Lockwood assured them that he would provide recommendations based on both meetings in Male' and his own years of experience in the field.

18. (SBU) Representatives from various non-governmental organizations (NGOs) also met with Lockwood and expressed frustration at the length of time it had taken for their groups to get GORM approval prior to functioning. Many speakers also stated the need for public education about human rights and democracy. Lockwood said that he would try to assist the MHRC in addressing the public and making such information available.

19. (U) In addition, Lockwood addressed two separate student groups-- undergraduates studying law as well as high school seniors. The students all responded warmly and thanked Lockwood for his efforts. Along with the students, others, such as waiters and proprietors of tourist shops, upon learning that Lockwood was in Maldives to work on human rights issues, thanked him effusively for his work on their behalf. Many said they looked to the outside world for guidance on how to better protect human rights in their own society.

19. Professor Lockwood's own trip report and recommendations will be transmitted in a separate communication.

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